

Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 7156/52427-AA/ JPW/GJG/BJA		Serial No. 10/799,264	
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Applicants: Don Fishbein			
				Filing Date March 12, 2004		Group	
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
<i>ah</i>	US	5 3 4 0 5 8 6	08/94	Pike			
<i>ah</i>	US	10 7 9 9 1 9 7	3/12/04	Fishbein			
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation
							Yes No
<i>ah</i>		0 2 2 2 3 8 5	02/93	EPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
<i>ah</i>		Protest Under 37 C.F.R. §1.291(a) filed on October 18, 1999 with the United States Patent and Trademark Office in connection with U.S. Serial No. 08/244,988, pp. 1-7, including a cover sheet, a Form PTO-1449, and Exhibits A-E					
<i>ah</i>		March 2, 2000 Decision on Protest Under 37 C.F.R. §1.291(a) in connection with U.S. Serial No. 08/244,988, pp. 1-2, including a cover sheet, a Form PTO-892, Information on Submitting an IDA (2 pages), and a copy of 21 C.F.R. 312 (39 Pages)					
<i>ah</i>		Aroonsakul, Chemical Abstracts, vol. 115: 151902q, 1988.					
<i>ah</i>		Bailey, R.O., Turok, D.I., Jaufmann and Singh, J.K. (1987). Myositis and acquired immunodeficiency syndrome. Hum. Path. 18:749-751					
<i>ah</i>		Berger, J.R., (1991). Personal communication between Dr. Berger and Dr. Dudley of Gynex (letter dated July 6, 1991),					
<i>ah</i>		Bessen, L.J., Greene, J.B., Louie, E., Seitzman, P., and Weinberg, H. (1988). Severe polymyositis-like syndrome associated with zidovudine therapy in AIDS and ARC. N. Eng. J. Med. 318:708					
<i>ah</i>		Blizzard, R.M., Hindmarsh, P.C. and Stanhope, R. (1991). Oxandrolone therapy: 25 years experience. Growth, Genet. Hor. 7:1-7					
<i>ah</i>		Boris, et al., Chemical Abstracts, vol. 74: 72305d, 1971.					
<i>ah</i>		Chelbowski, R.T., Grosvenor, M.B., Bernhard, N.H., Morales, L.S. and Bulcavage, L.M. (1989). Nutritional status, gastrointestinal dysfunction and survival in patients with AIDS. Am. J. Gastroent. 84:1288-1293,					
<i>ah</i>		Chernoff, D. (1990). Myositis in HIV-infected patients. In the AIDS Knowledge Base, Cohen, P.T., Sande, M.A. and Volberding, P.A. (eds.). Waltham, The Medical Publishing Group, pp. 5.14. 1-2					
<i>ah</i>		Dalakas, M.C., Pezeshkpour, G.H., Gravell, M. and Sever, J.L. (1986). Polymyositis associated with AIDS retrovirus. J. Amer. Med. Assoc. 256:2381-2383					
EXAMINER		DATE CONSIDERED					
<i>ah</i>		02/02/07					
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Applicants: Don Fishbein
 Serial No.: 10/799,264
 Filed: March 12, 2004
 Exhibit A

Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office			Atty. Docket No. 7156/52427-AA/ JPW/GJG/BJA		Serial No. 10/799,264	
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		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
ab		Gonzales, M.F., Olney, R.K., So, Y.T., Greco, C.M., et al. (1988). Subacute structural myopathy associated with human immunodeficiency virus infection. Arch. Neurol. 45:585-587						
ab		Gorard, D.A., Henry, K., and Guilloff, R.J. (1988). Necrotizing myopathy and zidovudine. Lancet. 1:1050-1051						
ab		Hellerstein, M.K., J. Mudie, H. and Viteri, F. (1990). Current Approach to the treatment of human immunodeficiency virus-associated weight loss: pathophysiologic considerations and emerging management strategies. Sem. Oncol. 17:17-33						
ab		Hughes, B.J. and Kreig, M. (1988). Steroid receptors and the muscular system. In, Steroid Receptors and Disease, Sheridan, P.J. Blum, K. and Trachtenberg, M.C. (eds). Marcel Dekker, Inc., New York, pp. 415-433						
ab		Jones, R.W.A., El Bishti, M.M., Bloom, S.R., Burke, J., Carter, J.E., et al (1980). The effects of anabolic steroids on growth, body composition, and metabolism in boys with chronic renal failure on regular hemodialysis. J. Pediat. 97:559-566						
ab		Karim et al., (1973), "Oxandrolone Disposition and Metabolism In Man," 80 Chemical Abstracts: 10551						
ab		Kotler, D.P., Wang, J. and Pierson, R.N. (1985). Body composition studies in patients with acquired immunodeficiency syndrome. Am. J. Clin. Nutr. 42:1255-1265						
ab		Kotler, D.P., Tierney, A.R., Wang, J., and Pierson, R.N. (1989). Magnitude of body-cell-mass depletion and the timing of death wasting in AIDS. Am. J. Clin. Nutr. 50:444-447						
ab		Lone, et al., Chemical Abstracts, vol. 107: 174950c, 1987.						
ab		Masse, R.B.H., Ayotte, C. and Dugal, R. (1989). Studies on anabolic steroids II - Gas chromatographic/mass spectrometric characterization of oxandrolone urinary metabolites in man. Biomed. Environ. Mass Spectrom. (England) 18:429-438						
EXAMINER		DATE CONSIDERED						
C. L. H. H. H.		02/07/07						
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	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
aul	Mendenhall, C.L., Anderson, S., Garcia-Pont, P., Goldberg, S., et al. (1984). Short-term and long-term survival in patients with alcoholic hepatitis treated with oxandrolone and prenisolone. N. Eng. J. Med. 311:1464-1470						
aul	Mendenhall, C.L., Grossman, C.J., Roselle, G.A., et al. (1990). Anabolic steroids effects on immune function: differences between analogues. J. Steroid Biochem. Molec. Biol. 37:71-76						
aul	Metcalf, et al., (1965), "A Quantitative Expression For Nitrogen Retention With Anabolic Steroids. IV. Oxandrolone," 62 <i>Chemical Abstracts</i> : 45397						
aul	Metcalf et al., (1965), "A Quantitative Expression For Nitrogen Retention With Anabolic Steroids. IV. Oxandrolone," <i>Metabolism</i> , 14(1) pp. 59-66						
aul	Meyers, F.H., Jawetz, E. and Goldfien, A. (1980). Review of Medical Pharmacology. California: Lange Medical Publications, p. 415						
aul	Morton, J.J.P., and M.H. Malone, (1972), "Evaluation of Vulnerary Activity by an Open Wound Procedure in Rats", Arch. Int. Pharmacodyn, Vol. 196, pp. 117-126 (Exhibit 1);						
aul	O'Shea, et al., Chemical Abstracts, vol. 74: 75106a, 1971.						
aul	"Orphan Drug for HIV Wasting Syndrome", Am. Fam. Physician (1991), Vol. 44, page 1889 (Exhibit 2).						
aul	Pan, C.S., Inadomi, D.W., Laidlaw, S.A., Jones, M.R., and Kopple, J.D. (1984). Oxandrolone enhances muscle protein synthesis in acutely uremic rats. Kidney Intl. 25:236						
aul	Simpson, D.M. and Bender, A.N. (1988). Human immunodeficiency virus-associated myopathy: analysis of 11 patients. Ann. Neurol. 24:79-84						
aul	Tchekmedyan, (1993), "Clinical Approaches to Nutritional Support in Cancer," <i>Current Opinion in Oncology</i> , Vol. 5, pp. 633-638						
EXAMINER <i>Cecilia H. H.</i>		DATE CONSIDERED 02/07/07					
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